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CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
BY	DEPUTY

12 UNITED STATES DISTRICT COURT
 13 DISTRICT OF ARIZONA

14 United States of America,

15 Plaintiff,

16 CR-04-1580-01-TUC-DCB (BPV)

17 v.

18 Bruce Donahue,

19 Defendant.

20 ADMISSION OF ALLEGATION(S)
 21 CONTAINED IN PETITION TO
 22 REVOKE SUPERVISED RELEASE

23 The United States of America and the defendant agree to the following disposition
 24 of this matter:

25 TERMS OF THE AGREEMENT

26 1. This is a revocation of:

19 (XX) supervised release

20 () probation

21 2. Defendant will admit allegation(s) B in the Petition to Revoke.

22 This/these is/are Grade C violation(s). As a result, the defendant's supervised release
 23 will be revoked. Any remaining allegations will be dismissed at disposition.

24 3. The parties agree that the defendant will be sentenced to:

25 (✓) 9 months incarceration; OR

26 ///

///

() a period of incarceration not to exceed the middle of the applicable guideline range under U.S.S.G. § 7B1.4(a) (Revocation Table), and not below the minimum of the range (the range being 4 to 7 months)

4. This sentence will be followed by:

() an additional term of _____ months of supervised release

() an additional term of supervised release to be determined by the court.

NO additional term of supervised release

If the defendant is sentenced to a term of probation or supervised release, the defendant agrees to comply with the previously imposed conditions and any others the probation department or court deems appropriate.

() In addition, the following additional condition(s) shall be imposed:

1

5. Consecutive/Concurrent sentences:
 Not applicable.
 There is no agreement regarding consecutive or concurrent sentences on any pending cases;
 The government agrees that it will not take a position whether this sentence should be concurrent or consecutive to another sentence.

6. Statutory and Guideline Provisions:

a) U.S.S.G. § 7B1.4, the Terms of Imprisonment (Policy Statement) provides:

Revocation Table
(In months of imprisonment)

Grade of Violation	I	II	III	IV	V	VI
Grade C	3-9	4-10	5-11	6-12	7-13	8-14
Grade B	4-10	6-12	8-14	12-18	18-24	21-27
Grade A	(1) Except as provided in subdivision (2) below:					
	12-18	15-21	18-24	24-30	30-37	33-41

1 (2) Where a defendant was on probation or supervised release as a
2 result of a Class A felony:

24-30 27-33 30-37 37-46 46-57 51-63

3 b) Penalties applicable for defendant's original offense:

4 1) Criminal History - I

5 2) Guideline Range - 46-57 mos.

6 3) Statutory Maximum incarceration - 40 years

7 c) Supervised release statutory maximums pursuant to 18 U.S.C. § 3583 (e)(3):

8 1) Class A felony - 5 years

9 2) Class B felony - 3 years

10 3) Class C or D felony - 2 years

11 4) Any other case - 1 year

12 7. Waiver of Appeal & Collateral Attacks - Defendant waives any and all motions,
13 defenses, probable cause determinations, and objections which the defendant could assert
14 to the information or indictment, or petition to revoke, or to the Court's entry of judgment
15 and imposition of sentence upon the defendant, providing the sentence is consistent with
16 this agreement. Defendant further waives: (1) any right to appeal the Court's entry of
17 judgment against defendant; (2) any right to appeal the imposition of sentence upon
18 defendant; and (3) any right to collaterally attack defendant's conviction and sentence in
19 a habeas petition under 28 U.S.C. § 2255 or motion under any other statute or rule. If the
20 defendant files a notice of appeal or any habeas petition, notwithstanding this agreement,
21 the defendant agrees that, upon motion of the government, this case shall be remanded to
22 the district court to determine whether defendant is in breach of this agreement and, if so,
23 to permit the United States to withdraw from the plea agreement.

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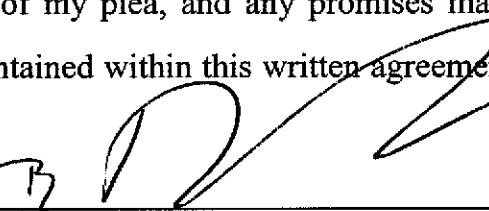
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1 8. Defendant understands the government's obligation to provide all information in its
2 file regarding the defendant to the United States Probation Office. The defendant fully
3 understands and agrees to cooperate fully with the United States Probation Office in
4 providing all information requested by the probation officer.

5 9. I understand all of the provisions of this agreement. This written plea agreement
6 contains all the terms and conditions of my plea, and any promises made by anyone
7 (including my attorney) that are not contained within this written agreement are without
8 effect and are void.

9 8-23-07
10 Date


Bruce Donahue
Defendant

11 10. I have discussed this case and the plea agreement with my client in detail, and have
12 translated it for him/her if he/she does not speak English. No assurances, promises, or
13 representations have been given to me or my client by the government or by any of its
14 representatives which are not contained in this written agreement. I concur in the entry of
15 the plea as indicated above and on the terms and conditions set forth in this agreement as
16 in the best interests of my client.

17 8-23-07
18 Date


Peter Raptis
Attorney for Defendant

19 11. I have reviewed this matter and the plea agreement. I agree on behalf of the United
20 States that the terms and conditions set forth are appropriate and are in the best interests of
21 justice.

22 DANIEL G. KNAUSS
23 United States Attorney
24 District of Arizona

25 Raquel Arellano
26 Assistant U.S. Attorney

August 23, 2007
Date

cc: U.S. Probation Officer